

Sixth Appellate District

San Jose, California

MONDAY, JULY 30, 2001

H022184 SANTA CRUZ COUNTY HUMAN RESOURCES AGENCY v. ANNA T.

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed July 30, 2001

TUESDAY, JULY 31, 2001

H020650 MARRIAGE OF PETROPOULOS

We reverse the spousal support modification order dated August 24, 1999, and we remand the matter to the trial court for its decision whether to order the repayment of excess support paid by Husband in 1999. In making that determination, the trial court shall exercise its discretion under section 3653, subdivision (c), as currently enacted. We affirm the order for sanctions entered October 7, 1999. Husband is entitled to costs on appeal, in an amount to be determined by the trial court. The trial court may award Husband attorney fees, in its discretion, under any applicable Family Code provisions. (published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)
Filed July 31, 2001

H020432 PEOPLE v LAM

By the Court*:

Appellant's petition for rehearing is denied.
Filed: July 31, 2001
*Before Mihara, J., Premo, Acting P.J. and Elia, J.

H021450 PEOPLE v. AGUAYO

The order imposing probation is ordered modified to reduce defendant's period of probation to three years. As so modified, the order is affirmed. (not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)
Filed July 31, 2001

Sixth Appellate District

San Jose, California

Tuesday, July 31, 2001 (continued)

H020625 WERSHBA v. APPLE COMPUTER, INC.; CONSUMER ADVOCATES, et al. v. APPLE COMPUTER, INC.; FRANCIS X. DOHERTY, et al.

The judgment certifying the class, approving the settlement and awarding attorney fees is affirmed. (published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)
Filed July 31, 2001

H021408 PEOPLE v. WEST

Defendant's conviction on count two for possession of a controlled substance-for which the court imposed a concurrent term-is reversed and that count is ordered dismissed. The trial court is directed to amend the abstract of judgment accordingly. The trial court is ordered to forward a certified copy of the amended abstract to the Department of Corrections. As modified, the judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed July 31, 2001

H020557 HUSET v. STATE BANK OF CROSS PLAINS

The judgment is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)
Filed July 31, 2001

WEDNESDAY, AUGUST 1, 2001

H021094 PEOPLE v. WARREN

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Mihara, J.)
Filed August 1, 2001

THURSDAY, AUGUST 2, 2001

H021191 PEOPLE v JONES

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Mihara, J.)
Filed August 2, 2001

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Sixth Appellate District
San Jose, California

Thursday, August 2, 2001 (continued)

H021156 STEVENS CREEK QUARRY, INC. v. COUNTY OF SANTA CLARA, et al.

By the Court*:

Appellant's petition for rehearing is denied.

Filed: August 2, 2001

*Before Cottle, P.J., Mihara, J. and , J.

H019717 PEOPLE v. THAI

(Filed order modifying opinion.) On the court's own motion the opinion in this action filed July 13, 2001, is modified as follows: The final sentence of the disposition on page 30 is ordered modified to state, "Further, the trial court shall exercise its discretion to impose either a concurrent or consecutive full middle term sentence on count 4 pursuant to former section 1170.15." This modification does not effect a change in the judgment. (not published)

(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)
Filed August 2, 2001

H020739 PEOPLE v. CORONADO

The judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)
Filed August 2, 2001

H021264 LEO LUDEWIG, as Trustee, etc., et al. v. JCP GEOLOGISTS, INC., et al.

The judgment is affirmed. Respondents shall recover their costs on appeal. (not published)

(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)
Filed August 2, 2001

FRIDAY, AUGUST 3, 2001

H020716 PEOPLE v. BURTON

The judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Mihara, J.)
Filed August 3, 2001

In The Court Of Appeal Of The State Of California 136
Sixth Appellate District
San Jose, California

Friday, August 3, 2001 (continued)

H021966 PEOPLE v. ROSE

 The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Mihara, J.)
Filed August 3, 2001

H019990 EAGLE SQUARE PARTNERS v. WEYERHAEUSER COMPANY;
 LOUISIANA-PACIFIC CORPORATION

 The judgment is modified to strike the jury's finding of
fraud. As so modified, the judgment is affirmed. Weyerhaeuser
and Eagle Square Partners shall bear their own costs on appeal.
Louisiana-Pacific is entitled to its costs on appeal. (not
published)
(Elia, J.; We concur: Premo, Acting P.J., Mihara, J.)
Filed August 3, 2001

H021027 IN RE THE MARRIAGE OF KOO

 The orders are affirmed. Wife shall have costs on appeal.
(not published (Wunderlich, J.; We concur: Cottle, P.J.,
Bamattre-Manoukian, J.)
Filed August 3, 2001

H022385 PEOPLE v. WILLIAMS

 The judgment is affirmed. (not published)
(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed August 3, 2001

H021545 PEOPLE v. GRIFFIN

 The judgment is affirmed. (not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)
Filed August 3, 2001

Sixth Appellate District

San Jose, California

Friday, August 3, 2001 (continued)

H022298 In re GRIFFIN on Habeas Corpus

The Director of the Department of Corrections is ordered to show cause, before the Santa Clara County Superior Court, when the matter is placed on calendar, why petitioner's waiver of his right to a jury trial and his ensuing guilty plea were knowing and voluntary despite petitioner's allegation that his trial counsel provided ineffective assistance by causing defendant to believe that the opportunity to ask the trial court to exercise its discretion under People v. Superior Court (Romero) (1996) 13 Cal.4th 497, to strike one or more of his prior convictions and thereby receive a lower sentence, only was available if he pleaded guilty.

(Cottle, P.J., Bamattre-Manoukian, J. and Wunderlich, J., participated in this decision.)

Filed August 3, 2001

Cottle, P.J.